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Attorneys for Plaintiff Fresh Del Monte Produce Inc.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**FRESH DEL MONTE PRODUCE INC., :**

**Plaintiff and :** 08 Civ-8718(SHS)

**Counterclaim Defendant,**

**: ECF Case**

**- against -**

**: Electronically Filed**

**DEL MONTE FOODS COMPANY, and**

**DEL MONTE CORPORATION, :**

**Defendants and :**

**Counterclaim Plaintiffs.**

**:**

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**PLAINTIFF FRESH DEL MONTE PRODUCE INC.'S  
PROPOSED VOIR DIRE**

**A. Individual Background Questions**

1. What is your current occupation? Who is your employer? What are your main job duties and responsibilities?
2. If you have a spouse or partner, what is their occupation?
3. Do you have any children or stepchildren? If yes, what are their ages and occupations if they are currently working?
4. What is the highest level of education you have attained? If you attended or graduated from technical school or college, what was your major field of study?
5. Have you ever worked in a supermarket? If so, what were your responsibilities?
6. If you are retired, unemployed, disabled or a homemaker, what was your last occupation? Who was your employer? What were your main job duties and responsibilities?
7. What are your hobbies or interests?
8. Are you involved in any social, political, religious or professional clubs or organizations?
9. Do you speak any languages other than English?

**B. Individual Questions Relating to the Case**

1. Have you ever been misled by the advertisements of a company? If yes, please explain the circumstances.
2. Where do you typically shop for groceries? Do you shop at any of the following places: Whole Foods, Morton Williams, Gristedes, Fairway, the Food Emporium, D'Agostinos.
3. How frequently do you shop for groceries?
4. Do you shop for groceries for just yourself or for others in your household?
5. Do you ever shop for groceries online?

6. When you shop for groceries, do you read the nutritional labels of the products that you purchase?

7. If you shop in supermarkets, are you familiar with the types of products that can be found in the produce section?

8. Do you ever purchase canned fruit? What type? How often?

9. Do you ever purchase whole fresh fruit? What type? How often?

10. Are you aware of any brands that market fresh cut fruit?

11. Do you ever purchase organic foods/groceries? What types? How often?

12. How often do you eat fresh fruit or vegetables?

13. Are you familiar with the Del Monte name? If so, with what do you associate it?

14. This lawsuit is about the following refrigerated products being marketed by the defendants: Fruit Naturals, Orchard Select, SunFresh, Superfruit, Fruit Bowls. Are you familiar with those products? Do you recall ever purchasing one of those products and if so how frequently?

**C. Knowledge of Parties, Attorneys, and Witnesses**

1. Do you know, or have you had any dealings, personal or business, with any of the lawyers for the parties to this case or law firms? If so, please explain.

- **Skadden, Arps, Slate, Meagher & Flom LLP:** Representing Plaintiff Fresh Del Monte. Attorneys: Kenneth A. Plevan, Anthony J. Dreyer, Lauren E. Aguiar, Jordan A. Feirman, Julie E. Cohen.
- **Debevoise & Plimpton:** Representing Defendants Del Monte Foods Company and Del Monte Corporation. Attorneys: Bruce P. Keller, Michael J. Beam.
- **Morrison Foerster:** Representing Defendants Del Monte Foods Company and Del Monte Corporation. Attorneys: LaShann M. DeArcy, Arturo J. González, Dennis P. Orr, Emily E. Bretz.

2. Do you know or have you heard of any of the following individuals who may be called as a witness in this matter:

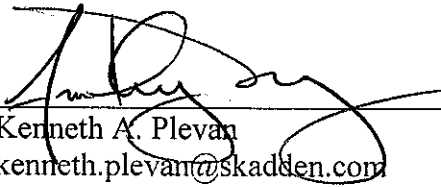
Emanuel Lazopolous
Dionysus ("Dennis") Christou
Kirk Teske
Bruce Jordan
Robert Carbonell
Xander Shapiro
Rodolfo Spielmann
Janine Peery
William Haase
Jacob Jacoby
Scott Phillips
Philip Brazlavsky
Greg Cyr
Daniel Funk
Lorraine Guzman
Brian Haycox
William Sawyers
Dr. Thomas Young
W. Frank Dell
Laura Stamm
Itamar Simonson

3. Did you, any member of your family (including any ex-spouse), or any close personal friend ever work for any of the following entities? If so, please describe your or their position and responsibilities and dates of employment

Fresh Del Monte Produce, Inc.
Del Monte Foods Company
Del Monte Corporation
RJR Nabisco
Del Monte Tropical Fruit
J. Nichols Company
Tropical Sun Products, S.A.
Kohlber Kravis & Roberts Co. ("KKR")
Polly Peck International

Dated: January 9, 2012

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth A. Plevan", is written over a horizontal line.

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